

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOEY B. BROOKS,

Defendant.

:

: Case No. 3:91cr23

: JUDGE WALTER H. RICE

:

DECISION AND ENTRY OVERRULING DEFENDANT'S
MOTION TO EXPUNGE RECORD; REASONING SET FORTH


The Defendant filed a motion, seeking an order of the Court expunging and sealing his record of conviction in the captioned cause. The Court's delay in responding was occasioned by the fact that the age of the captioned matter is such that the file had to be retrieved from the Archives in Chicago, Illinois.

While this Court commends the Defendant for putting his life on the right track, and becoming an upstanding and contributing citizen, for the past 27 years, it must, regretfully, OVERRULE the Defendant's motion to expunge and seal the record of his conviction in the captioned cause. Unfortunately, unlike most of the states in the Union, the federal government has no expungement procedure, applicable to convictions in federal courts.

This Court has long since opined, at every opportunity, how truly unfair this is, given that a mistake made by someone in his or her younger years should not follow that person to the grave. An expungement statute, for example, such as the one that Ohio has had for many years, would avoid this injustice.

Accordingly, with apologies to Mr. Brooks, this Court has no choice but to OVERRULE his motion to expunge the record of his 1991 conviction.

April 24, 2019



WALTER H. RICE
UNITED STATES DISTRICT JU

Copies to:

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